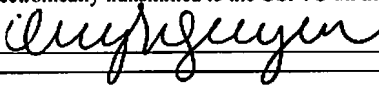


I hereby certify that this correspondence is being electronically transmitted to the USPTO on the date shown below.

Date: January 9, 2009

Signature: _____



(Quyen B. Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/734,562
Confirmation No.: 2406
Filing Date: December 12, 2003
Inventor(s): Ken MICHLITSCH et al.
Title: APPARATUS AND METHODS FOR FORMING AND
SECURING GASTROINTESTINAL TISSUE FOLDS
Examiner: Dornbusch, Dianne
Group Art Unit: 3773

RESPONSE TO NON-FINAL OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Non-Final Office Action mailed July 9, 2008, in the above-identified United States Patent Application. Filed herewith is a petition and fee for a three-month extension of time, thereby extending the deadline for response to January 9, 2009. Accordingly, this response is timely filed. Reconsideration and allowance of the claims, as amended, in light of the Remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper